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May 18, 2021

VIA ECF

The Honorable Madeline Cox Arleo
United States Magistrate Judge
for the District of New Jersey

Re: Abell v. Pacira Pharmaceuticals, Inc., et al.
Case No. 2:18-cv-16509-MCA-AME

Dear Judge Cox Arleo:

We represent Plaintiff Reshma Abell (“Reshma”, “Abell” or “Plaintiff”) in the above referenced proceeding and write to the Court, pursuant to L.Civ.R. 7.1(d)(5) to obtain an automatic extension with regard to Defendants’ currently pending Motion for Summary Judgment filed on May 7, 2021, with an original returnable motion day of June 7, 2021.

The originally noticed motion day has not previously been extended or adjourned and Plaintiff is hereby invoking the provisions of L.Civ.R. 7.1(d)(5) in advance of May 24, 2021, the date on which opposition papers would otherwise be due under L.Civ.R. 7.1(d)(2). This is Plaintiff’s first request for an extension of time with respect to the instant summary judgment motion.

Furthermore, as this Court is aware, Defendants filed a brief far exceeding the page limitation permitted by the Court’s rules citing to the unusually large record in this matter which includes four causes of action against a corporate defendant and multiple individual defendants. As described by the Defendants, the record in this case is comprised of approximately 2,600 pages in discovery, and the parties conducted six fact witness depositions comprised of approximately 1,100 pages of deposition testimony.

Given the breadth of the unusually large record, the Defendants’ brief which exceeded the page limitation and the fact that the Defendants made late supplemental filings to correct their submissions and to add documents to the record filed beyond the deadline for the Defendants to do so, Plaintiff respectfully requests additional time, beyond the as-of-right extension which Plaintiff is entitled to under the Local Rules, to allow Plaintiff to oppose to Defendants’ dispositive motion which seeks to dismiss all of Plaintiffs claims in this case.

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As this Court may recall, Defendants previously sought and were granted an extension of the deadline by which their summary judgment motion was due, a request which Plaintiff consented to. In requesting Plaintiff's consent to that extension, Defendants indicated that they would not oppose any request for an extension of time made by Plaintiff in connection with opposing the instant summary judgment motion.

To that end, Plaintiff respectfully requests that the new motion day be set for July 6, 2021, or if the Court is not inclined to grant such an extension at this time, that the new motion day otherwise be set for next available motion day following the originally noticed date as provided for by L.Civ.R. 7.1(d)(5), which is June 21, 2021, and furthermore granting Plaintiff leave to request a further extension at a later time, if necessary.

Thank you for your attention in this regard.

Respectfully submitted,

/s Jason A. Stewart
Jason A. Stewart

SO ORDERED

s/Madeline Cox Arleo
MADELINE COX ARLEO, U.S.D.J.

Date: 5/24/21